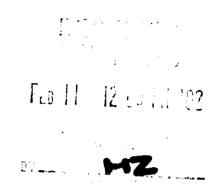
MITCHELL D. GLINER, ESQ.
Nevada Bar #003419
2810 West Charleston Blvd., #95
Las Vegas, NV 89102
(702) 870-8700
(702) 870-0034 Fax
Attorney for Plaintiff



UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

EVANGELINA MORENO nee MARTINEZ,)

Plaintiff,

CV-S-02-0198-LRH-RJJ

vs.

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LAW OFFICES

MITCHELL D. GLINER

Suite 95 Las Vegas, Nevada 89102

(702) 870-8700

AT&T WIRELESS SERVICES, INC., a foreign corporation,

Defendant.

SIX PERSON JURY DEMANDED

COMPLAINT

JURISDICTION

1. The jurisdiction of this Court attains pursuant to the FCRA, 15 U.S.C. Section 1681(p), and the doctrine of supplemental jurisdiction. Venue lies in the Southern Division of the Judicial District of Nevada as Plaintiff's claims arose from acts of the Defendant perpetrated therein.

PRELIMINARY STATEMENT

2. The Plaintiff brings this action for damages based upon Defendant's violations of the Fair Credit Reporting Act, 15 U.S.C § 1681 et seq. (hereinafter referred to as "FCRA"), and of state law obligations brought as supplemental claims.

LAW OFFICES 13
MITCHELL D. GLINER
3017 W. Charleston Blvd.
Suite 95

(702) 870-8700 15

- 3. Plaintiff is a natural person and was, at all times relevant hereto, a citizen of the State of Nevada and of the United States. Plaintiff is a "consumer" as defined by § 1681a(c) of the FCRA.
- 4. Defendant, AT&T Wireless Services, Inc., is a furnisher of information as contemplated by FCRA § 1681s-2(b) who regularly and in the ordinary course of business furnishes information to one or more consumer reporting agencies about consumer transactions or experiences with any consumer.

FACTUAL ALLEGATIONS

- 5. Plaintiff's creditworthiness has been repeatedly compromised by the acts, obduracy and general indifference of the Defendant.
 - 5. Plaintiff is a victim of theft of identity.
- 7. Plaintiff was an employee of Catholic Charities of Southern Nevada at all times relevant hereto.
- 8. Plaintiff was in church during the late evening of November 10, 2000, when her automobile was burglarized.
- 9. Plaintiff's purse, which contained her identifying information, credit cards and other property, was stolen.
- 10. On November 14, 2000, Plaintiff filled out a police report (Exhibit 1).
- 11. During the following months, Plaintiff learned that a number of fraudulent accounts had been opened in her name.
- 12. The accounts appeared on Plaintiff's national credit profiles.

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- During August, 2001, Plaintiff disputed the presence of six fraudulent accounts, including an AT&T Account, contained or her Experian Report (Exhibit 2).
- Plaintiff premised her dispute on the November, 2000, theft of her identifying information (Exhibit 2).
- At approximately the same time, Plaintiff disputed seven tradelines, including the Account, AT&T with Trans Union (Exhibit 3).
- 16. On September 10, 2001, Experian responded to Plaintiff's dispute by deleting all disputed tradelines except the FCNB entry (Exhibit 4).
- An excerpt from Plaintiff's October 18, 2001, Equifax Report reflects the illegal inclusion of the AT&T Account in violation of FCRA § 1681s-2(b)(1)(D) [Exhibit 5].

STATEMENT OF CLAIM AS AGAINST DEFENDANT

- In the entire course of its action, Defendant willfully and/or negligently violated the provisions of the FCRA in the following respects:
 - By willfully and/or negligently failing to comport with FCRA § 1681s-2(b).

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PRAYER FOR RELIEF

THEREFORE, Plaintiff prays that the court grant the following relief as against Defendant:

- actual damages; a)
- punitive damages; b)
- c) attorney's fees; and
- d) costs.

Respectfully submitted,

Nevada Bar #003419

3017 West Charleston Boulevard

Suite 95

Las Vegas, NV 89102 Attorney for Plaintiff

EXHIBITS

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Printed date/time: 7/19/01 19:27

Incident Report

Page Lot 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

400 E STEWART

LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Incident Summary

Incident Type: CRIMINAL INCIDENT

Report type: FILLD INCIDENT RE

Sector/Beat: V4/V4

Inc Occurred Address: 8100 WESTCLIFF DR LAS VEGAS, NV

loc Occurred Start: 11/10/2000 20:30

Inc Occurred End:

Report Takon: 11/10/2000 22 54

Disposition Date: 11/15/2000 08 04

Domostic: N

Bias Motivation: NO

Gang Related: N

Substance: N

Contact Nature:

Reporting Officer: STARRES, D. 6927

Primary Assigned Officer: ROCK, D. 5306

Offenses

Statute Code

Description

Counts Att Cons

BURG205.060C

BURGLARY - AUTO

YIIOTE

Soverity

N 11

List of Attachments

Case Status: CLOSED

Type:

Report ID:

Report Date:

Report Summary:

VOLUNTARY STATEMENT

4594

Disposition: ZEROED

11/10/2000 23:00

REYES, MIGUEL A

Persons Involved

Person#: 0001

MNI: 3598515

Event Association: VICTIM Name: MARTINEZ EVANGLUNA

SSN: Height: 5'2"

DOB: 12/17/1974 Weight: 130

Age: 25 Sex: F Eye Color: BROWN

Race: 11 Hair Color - BROWN

Address: 4263 S PECOS RD 1021 AS VEGAS, NEVADA 89121

Dl. Stato;

Sector/Beat.

Phono#: (702) 451-6609

Occupation: YOUTH CARE

Exp. dato: Employer/School: CATHOLIC CHARRIES

Contact Date/Time:

Person#: 0002

Lyent Association: WITH SS Name: REYES, MIGULLA

Contact Date/Time:

SSN:

DOB: 09/21/1968

Ago: 32

Sox: M

Race: 11

Hoight: 5'4".

Weight: 125

Eye Color: BROWN

Hair Color: BROWN

Address: 3755 SILBERT LA LAS VEGAS, NEVADA 89104

DI#

Sector/Beat: G4/G4

Phone#: (702) 373-3560

DL State:

MNI: 3598516

Exp. date:

Occupation:

Employer/School:

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to Conserved had Continue of A.

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EXHIBIT 1

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Incident Report

Page 2 of 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

400 E STEWART LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Persons Involved

Printed dato/time: 7/19/01 19:27

Person#: 0003

MNI: 3598518

Event Association:

SUSPECT

Contact Date/Time:

Name: UNK,

SSN: Hoight: DOB: Weight: Ago: 18 Eye Color:

Description:

Sox:

Race: Hair Color:

Address: ,

Phone#:

DL#:

Sector/Beat:

Occupation:

Dl. State:

Employer/School:

Exp. date:

Characteristics

Characteristic Type:

Eurthor Dolined By:

PHYSICAL BUILD

THIN

DOMINANT HAND HAIR LENGTH

RIGHT SHORT

FACIAL HAIR SPEECH MANNER

NOTHEARD

UNSHAVEN

PHYSICAL APPEARANCE SHIRT COLOR

CASUAL CLOTHES

MNI: 3598519

PANTS COLOR

DARK

JEANS

HAIR STYLE Person#: 0004

ALRO

SHAVED DESIGN

Event Association: SUSPLC1

Contact Date/Time:

Name: , UNKNOWN

SSN:

DOB:

Age: 18

Sex:

Rade:

Height: Address:

Weight:

Eye Color:

Hair Color: Sector/Beat:

Phone#:

DL State:

DL#:

Exp. date:

Occupation:

Employer/School:

Characteristics

Characteristic Type:

Further Defined By:

Description:

PHYSICAL BUILD

HIM

DOMINANT HAND HAIR LENGTH

RIGHT SHORT

LACIAL HAIR SPEECH MANNER

UNSHAVEN NOT HEARD

PHYSICAL APPEARANCE - CASUAL CLOTHES

SHIRT COLOR PANTS COLOR

DARK

HAIR STYLE

AFRO

JEANS

SHAVED DESIGN

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Printed date/time: 7/19/01 19:27

Incident Report

Page 3 of 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

400 E STEWART

LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Model: CIVIC

Expires on: 08/2001

Ter Color: BLACK

Recovered Value:

Vehicles Involved

Vehicle#: 0001

Event Assoc: VICTIM'S VEHICLE

Vehicle Type: A

VIN: 11 IGEJ824XWL093510

Style: 2 DOOR

Status d/t:

NCIC Date: NCIC#:

Prim Color: BLACK

Status Value:

Registered Owner Name: MARTINEZ, EVANGELINA

Year: 1998

License#:

Voliicle Features AIR CONDITIONING

STOLEN

STOLEN

BROKEN WINDOWS

REAR BUMPER

BUCKET SEATS

Address: 4263 S PECOS RD 402 LAS VEGAS, NV 89121

401KWB

SUNROOF

Volicle Status:

Make: HONDA

State: NV

Sac Color: BLACK

NCIC Reported By:

Recovered Date:

NCIC Cancelled:

Phone#: (702) 451 6609

FRONT BUMPER

Property Involved

Property # 0001

Event Assoc/Orig status:

Current status: STOLEN

Property Type:

Description: WOVEN PURSE

Make/Brand:

Color: BLK

Serial/Lot#:

NCIC Date: NCIC#:

Property # 0002

Event Assoc/Orig status: STOLEN

Current status: STORIN

Property Type:

Description: WALLET

Make/Brand;

Color: BLK Serial/Lot#; NCIC Date:

NCIC#.

Property # 0003

Event Assoc/Orig status:

Current status: STOLEN

Property Type:

Description: DRIVERS LIC Make/Brand: NEVADA

Color: Sorial/Lot#:

NCIC Date: HCIC#:

Original Status Date:

Current Status Date:

Model:

Quantity: 1 Owner Applied#: NCIC Reported By: NCIC Cancelled:

Original Status Date:

Correst Status Date:

Model:

Quantity: 1 Owner Applied#: NCIC Reported By: NCIC Cancelled:

Original Status Date:

Current Status Date:

Model: Quantity: 1 Owner Applied#: NCIC Reported By:

NCIC Cancelled:

Original Value: \$3.00 Current Value \$3.00

Original Value: \$15.00

Current Value: \$15.00

Original Value: Current Value:

Printed by 65963s

Incident Report

Original Status Date:

Current Status Date:

Model:

Modal:

Quantity: 1

Owner Applied#:

NCIC Cancelloit:

NCIC Reported By:

Original Status Date:

Current Status Date:

Quantity: 1

Owner Applied#:

NCIC Reported By: NCIC Cancelled:

Original Status Date:

Current Status Date:

Page 4 of 8

Printed date/time: 7/19/01 19:27

: AS VEGAS METROPOLITAN POLICE DEPARTMENT

STOLLN

STOLEN

STOLEN

100 E STEWART LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Original Value: \$30.00

Current Value: \$30.00

Original Value:

Current Value.

Original Value:

Corrent Value:

Original Value:

Current Value:

Property Involved

Property # 0004

Event Assoc/Orlg status:

Current status: STOLEN

Proporty Type:

Description: US CURRENCY

Make/Brand: Color: Serial/Lot#:

NCIC Date: NCIC#.

Property # 0005

Event Assoc/Orig status: STOLEN

Corrent status: STOLEN

Property Type:

Description: NEVADA DRIVERS REG

Make/Brand: Color: Sorial/Lot#;

NCIC Date: NCIC#:

Property # 0006

Event Assoc/Orig status:

Corrent status: STOLEN

Proporty Type:

Description: SOC SECURITY CARD

Make/Brand: Color: BLUE Sorial/Lot#: **NCIC Date:**

HCIC#: Property # 0007

Event Assoc/Orig status: STOLEN

Current status: STOLEN Property Type:

Description: CREDIT CARD

Make/Brand: MASTERCARD Cotor: GRAY Social/Lot#:

NCIC Date: NCIC#:

Property # 0008

Event Assoc/Orig status: Current status: STOLEN

Property Type:

Description: CREDIT CARD

Make/Brand: VISA Color: GRN 1.1 +44

Model:

Quantity: 1 Owner Applied#: NCIC Reported By: NCIC Cancelled:

Original Status Date:

Current Status Date:

Model:

Quantity: 1 Owner Applied#; NCIC Reported By: NCIC Cancelled:

Original Status Date: **Current Status Date:**

Model: Quantity: 1

Chance Auntierth

Current Value:

Original Value:

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Printed date/time: 7/19/01 19:27

Incident Report

Original Status Date:

Current Status Date:

Model:

Quantity: 1

Owner Applied#:

Page 5 of 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

400 E STEWART LAS VEGAS, NV 89101 (702) 229-3111

Incident Number: LLV001110002154

Original Value:

Currout Value:

Original Value:

Current Value:

Original Value:

Current Value:

Original Value:

Current Value:

Property Involved

Property # 0009

Event Assoc/Orlg status: STOLEN

Corrent status: STOLEN

Property Type:

Description: CREDIT CARD

Make/Brand: AMERICAN EXPRESS

Color: GRN Serial/Lot#: NCIC Date: NCIC#:

Property # 0010

Event Assoc/Orig status:

Corrent status: STOLEN

Property Type:

Description: CREDIT CARD

Make/Brand: MONTGOMERY WARD Color: RED

Serial/Lot#: NCIC Dato: HCIC#:

Property # 0011

Event Assoc/Orig status: STOLEN

Current status: STOLLN

Property Type:

Description: CHECK BOOK Make/Brand: BANK OF AMERICA

Color: SCOOBY DOO DESIGN

Serial/Lot#: **NCIC Date:** NCIC#:

Property # 0012

Event Assoc/Orlg status: STOLEN

Current status: STOLEN

Proporty Type:

Description: A1M CARD

Make/Brand: BANK OF AMERICA Color: GRY/BLU

Social/Lot#: **NCIC Date:** NCIC#.

Property # 0013

Event Assoc/Orig status: STOLEN

Current status: STOLEN

Property Type:

Description: W/BLK CASE 35 MM CAMERA

Make/Brand: NIKON Color: BLK 1.1. +41

NCIC Cancelled: Original Status Date:

NCIC Reported By:

Current Status Date:

Model: Quantity: 1 Owner Applied#: NCIC Reported By: NCIC Cancelled:

Original Status Date: **Current Status Date:**

Model: Quantity: 1 Owner Applied#; NCIC Reported By: NCIC Cancollod:

Original Status Dato: Current Status Date:

Model: Quantity: 1 Owner Applied#: NCIC Reported By:

Original Status Date:

NCIC Cancelled:

Model:

Quantity: 1

Current Status Date:

Original Value: \$260 00 Current Value: \$260,00

Case 2:02-cv-00198-LRH-RJJ Document 1-1233923 Filed 02/11/02 Page 11 of 18

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Incident Report

Page 6 of 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

400 F STEWART

LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Property Involved

Property # 0014

Event Assoc/Orig status:

STOLEN

Original Status Date: **Current Status Date:** Original Value: Current Value:

Current status: STOLEN

Proporty Type:

Description: PROOF OF HEGURANCE

Make/Brand: STATE NATIONAL Cotor: WHITE

Sorial/Lot#: NCIC Date:

NCIC#:

Model:

Quantity: 1

Owner Applied#: NCIC Reported By:

NCIC Cancelled:

Pointed by: c5963s

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Printed date/time: 7/19/01 19.27

Page 7 of 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT

400 E STEWART

LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Modus Operandi

Against Porsons:

М

Against Property:

Y

Occupied:

N

General Premise 1:

CHURCH

CORNER

General Premise 2:

Specific Premise:

PARKING LOT

Surrounding Area 1: Surrounding Area 2:

Surrounding Area 3:

Relationship to Suspect 1:

HOME

Relationship to Suspect 2:

Weapon Type 1;

Automatic:

И

Weapon Type 2:

Automatic:

11

Weapon Type 3:

Automatic:

14

Crime Against Property

of Premises Entered:

Entry Point:

Exit Point:

Entry Loc 1:

Exit Loc 1:

Entry Loc 2:

Exit Loc 2:

Entry Method 1:

comy mannou i

Exit Melliod 1:

Lotry Method 2:

Exit Method 2:

Entry Tool 1:

Exit Tool 1: Entry Tool 2:

Exit Tool 2:

Vehicle Entry:

TROMI DOOR/WINDOW

Safe Entry:

Suspect Action 1:

Suspect Action 2:

Suspect Action 3:

Suspect Action 4: Suspect Action 5:

Additional Factor 1:

Additional Factor 2:

Additional Factor 3:

Additional Factor 4:

Additional Factor 5:

Victim Location:

Electronic Locks:

Video Serveillance:

N

Maid;

Inspectioss:

Crime Against Persons

Pre-incident Contact 1:

Pre-incident Contact 2:

Pre-incident Contact 3:

Victim Condition 1: Victim Condition 2:

Victim Condition 3:

Victim Condition 4:

Victim Condition 5: Suspect Solicited 1:

Suspect Solicited 2: Suspect Protended to Be: Suspect Action 1:

Suspect Action 2:

Suspect Action 3:

Suspect Action 4: Suspect Action 5:

Sex Crime 1:

Sox Crime 2:

Sex Crimo 3:

Sex Crime 4:

Sex Crime 5:

Vehicle Involvement 1:

Vehicle Involvement 2:

-Printed by: c5963s

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Incident Report

Page 8 of 8

LAS VEGAS METROPOLITAN POLICE DEPARTMENT 400 E STEWART LAS VEGAS, NV 89101

(702) 229-3111

Incident Number: LLV001110002154

Narratives

Entored Date/Time:

11/14/2000 08:48

Typo: INCIDENT CRIME REPORT

Subject: BURGLARY (AUTO)

Author: STARKES, D. 6927

Narrative:

ON 11/10/00, LSPOKE TO EVANGELINA MARTINEZ. MARTINEZ SAID THAT WHILE SHE WAS IN CHURCH AROUND 2030 HOURS, MIGUEL REYES WAS LEAVING THE BUILDING.

AS REYES STEPPED OUTSIDE, HE NOTICED TWO UNKNOWN BLACK MALES AROUND THE BACK SIDE OF MARTINEZ' CAR. THE TWO UNKNOWN SUSPECTS SAW REYES, AND THEN FLED THE CHURCH PARKING LOT IN A GRAY SUV WITH WHAT APPEARED TO BE A REGISTRATION PAPER IN THE WINDSHIELD.

LATER, MARTINEZ NOTICED THAT HER PURSE, WITH ALL OF HER PROPERTY INSIDE OF IT, WAS MISSING ALSO MISSING WAS HER CAMERA. FINALLY, MARTINEZ SAW UHKNOVN FINGERPRINTS ON THE INSIDE OF HER DIVER SIDE WINDOW, NEAR THE TOP.

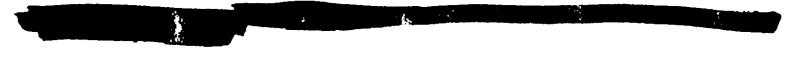


EXHIBIT 2

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11 0 11 0 0 0 0 0 0 0								
Report date LN 3 LTC Questions?)	2.05 E-8T O-4-8-C65TON B-C D = C1 20 8-20 8-20 8-20 8-20 8-20 8-20 8-20 8	•	(25/21/10/27				
Frepared for Start Start Start Report number 6653557731	Personal data		(טופובעם בשם אונ	Passascani Ord /2/1/ Ord of a hood of ord /1/1/ or		Passe expansi Julyss Medical Color	. हि. १८ के के कि	
experían		Coupreferto ware instata of telegrangia oscute information Things on your report, please and the time form explaining why you believe to him the property of the time of the	Why item is incorrect (check any chat	01 (d)		A not my strount 25.0 m of my exitte 25.0 m of the construction 34.0 m of the construction	10 The School of The Praise	Deace of the second of the sec
exp(orrection Form	Culoreferio white install District on your report District On your report District On your report District On your report District On Your Capacitation of Your Capacitation of Your District On The Y	ource/Identifation number or	1. 13.4 1. 13. 13.13.13.13.13.13.13.13.13.13.13.13.13.1	1. 1. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2. 2.	Providen Inspecial		

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0. 10 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	5025 E457 CHARLESTON BLVD = 117 L45 VBC45 NV 89 42 4060 50UTH PECOS PD = 10 L45 VBC45 NV 89 0 10 0 PTH VCQ PACE PTH		int why certal crearity corel		
Fraction of State of	Construction Construction Construction State Secure number	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	There exists a police report nade of some states and some control of some cont	Selection of the select	Sezze expirit. John ell 18250/1 au alono
Correction Form	Contacted on vour food, o also arranging stocks of the montact of the montact on vour food, o also arranging to a solution of vour food, or a solution of the montact of the figure of the montact of the	Why item is incorrect (Deck any eq.		7	Gateway Conjugation (172730305) account closed Conjugation (172730305) account closed account closed

Request for	r Dispute Resolution File Number: 104419731-001
o dispute information on your credit report. please com	plete this form and return it to Trans Union Consumer Relations
	tect or incomplete, write the corrections in the boxes on the right
Name: MARTINEZ, EVANGELIN Other Names(s):	Name: Evangelinas Other Name(s):
Address: 5225 E CHARLESTON BV 2073 LAS VEGAS, NV 89142	Address:
Social Security Number: Date of Birth: 12/1974 Direct's License Number: Lelephone Number(s): 457-0503 Employer: DOYNE MEDICAL LAS VEGASNV	Social Security Number: Date of Birth: Driver's License Number: Lelephone Number(s): Employer: Catholic Charities of Southern Nerodo
2 Tell us what you disagree with on your credit report. U Company	Ise the additional space on the back of this form if necessary
Account #: SEINGY3	Company Name: Your bank com Account #: 10 117 10 77 1
The reason [] This is not my account I disagree: [] I have never paid fate [] This account is in bankruptcy [] This account is closed [] I have paid this account in full [] I paid this before it went to colle or before it was charged off [] Other:	The reason [X] This is not my account I disagree: This account is in bankruptcy This account is closed The reason [X] This account is closed The reason [X] This account is closed
Return this form to: CREDIT BUREA 2355 RED ROCK LAS VEGAS, NV	CST, STE,200,POR29060

Upon receipt of your request/or dispute resolution, an investigation will be initiated and completed within 30 days. Upon completion, you will receive written notice of the results of our investigation. We recommend that you do not apply for credit while your request for resolution is pending

File Number 104419731-001

Company Name:	FCNB-N News	Company Providian
Account #	262319244Ce	Account #
The reaso I disagree:		The reason IX This is not my account I disagree: LI Drave never paid tate This account is in bankruptcy This account is closed I have paid this account in full I paid this before it went to collection or before it was charged off Cither;
Company Name:	AT+T Wireless	Company Name: First Premier
Account #:	2021100000049360019	Account #
The reason I disagree:	☐ This is not my account ☐ Thave never paid late ☐ This account is in bankruptcy ☐ This account is closed ☐ I have paid this account in full ☐ I paid this before it went to collection or before it was charged off ☐ Other;	The reason Dy This is not my account I disagree: I have never paid late This account is in bankruptcy This account is closed Thave paid this account in full I paid this before it went to collection or before it was charged off Other:
		you have any corrections to your previous address or
Mullional Co	omments:	ed of 1711 Tunest N. Las l'egas 8903
+42.144	LE MUCK CIL AL Cloyer Micde	cal has I coas AV My mass
01.1.	ast ucar (2000) in Novelle	ore in there. It was all reported that